

5654. Adulteration and misbranding of vinegar. U. S. * * * v. Monarch Vinegar Works, a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 7499. I. S. Nos. 12793-k, 12794-k, 14043-k, 14054-k, 14918-k.)

On July 31, 1916, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Monarch Vinegar Works, a corporation, Kansas City, Mo., alleging shipment by said company, on or about April 16, 1915 (two shipments), April 27, 1915, and April 17, 1915, from the State of Missouri into the State of Kansas, and on or about June 18, 1915, from the State of Missouri into the State of Texas, of quantities of vinegar which was adulterated and misbranded. The article was variously labeled in part: "Apple Cider Vinegar Reduced to 45 acid Strength"; "Monarch Brand Apple Cider Vinegar Reduced to 4.5 Acetic Strength"; "Pure Apple Cider Vinegar Generator Run"; "Sunburst Brand Pure Cider Vinegar Generator Run"; and "Pure Apple Vinegar * * * Manufactured, Bottled, and Guaranteed by Monarch Vinegar Works, Kansas City, Mo."

Analyses of samples of the articles by the Bureau of Chemistry of this Department showed the following results:

	Apple cider vinegar.	Pure apple vinegar.	Sunburst brand.	Pure apple cider vinegar.	Monarch brand.
Alcohol (per cent by volume).....	0.90	0.58	1.30	0.83	0.90
Glycerol (gram per 100 cc).....	0.17	0.20	0.20	0.21	0.22
Solids (grams per 100 cc).....	1.23	1.72	1.74	1.67	1.70
Nonsugar solids (grams per 100 cc).....	0.92	1.26	1.25	1.23	1.34
Sugar as invert, before inversion (gram per 100 cc).....	0.37	0.58	0.57	0.53	0.44
Sugar as invert, after evaporation (gram per 100 cc).....	0.31	0.46	0.49	0.44	0.36
Ash (gram per 100 cc).....	0.16	0.22	0.22	0.21	0.22
Alkalinity of soluble ash (cc N/10 acid per 100 cc).....	16.2	23.0	22.4	22.0	23.0
Total phosphoric acid (milligrams per 100 cc).....	9.0	11.5	11.6	11.8	11.3
Acidity as acetic (grams per 100 cc).....	4.49	4.94	4.82	4.83	4.63
Color (degrees, Brewer's scale 0.5-inch cell).....	12.0	11.5	15.0	5.0	13.0
Color removed (per cent).....	50	20	13	50	53
Volatile reducing bodies (gram per 100 cc).....	0.06	0.12	0.08	0.09	0.08

Distilled vinegar or dilute acetic acid added.

Adulteration of the article in each of the shipments was alleged in the information for the reason that a certain substance, to wit, distilled vinegar, or dilute acetic acid, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for apple cider vinegar reduced to 45-grain acid strength (or, for apple cider vinegar, pure cider vinegar, or apple vinegar, as the case might be), which the article purported to be.

Misbranding of the article in one of the shipments of April 16, 1915, and in that of June 18, 1915, was alleged for the reason that the statement regarding the article and the ingredients and substances contained therein appearing on the label, to wit, "Apple Cider Vinegar, reduced to 45 acid strength" (or "Apple Cider Vinegar reduced to 4.5 acetic strength," as the case might be), was false and misleading, in that it indicated to purchasers thereof that the article consisted of apple cider vinegar reduced to 45-grain acid strength, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted of apple cider vinegar reduced to 45-grain acid strength, when, in truth and in fact, it did not, but consisted of, to

wit, a mixture of apple cider vinegar and distilled vinegar, or dilute acetic acid; and for the further reason that it was a mixture of apple cider vinegar and distilled vinegar or dilute acetic acid and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, apple cider vinegar reduced to 45 acid strength (or apple cider vinegar reduced to 4.5 acetic strength, as the case might be).

Misbranding of the article in the shipments of April 27, 1915, April 17, 1915, and in the other shipment of April 16, 1915, was alleged in substance for the reason that the statement regarding the article and the ingredients and substances contained therein appearing on the label, to wit, "Pure Apple Cider Vinegar" (or "Pure Cider Vinegar" or "Pure Apple Vinegar," as the case might be), was false and misleading, in that it indicated to purchasers thereof that it consisted of pure apple cider vinegar (or pure cider vinegar or pure apple vinegar, as the case might be), and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted of pure apple cider vinegar (or pure cider vinegar or pure apple vinegar, as the case might be), when, in truth and in fact, it did not, but consisted of, to wit, a mixture of apple cider vinegar and distilled vinegar, or dilute acetic acid; and for the further reason that it was a mixture of apple cider vinegar and distilled vinegar or dilute acetic acid, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure apple cider vinegar (or pure cider vinegar or pure apple vinegar, as the case might be).

On April 19, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*